

ASSEMBLY BILL

No. 1474

Introduced by Assembly Member Runner

February 21, 2003

An act to amend Section 241.3 of the Penal Code, relating to assault.

LEGISLATIVE COUNSEL'S DIGEST

AB 1474, as introduced, Runner. Assault: transportation providers.

Existing law provides that when an assault is committed against any person on the property of, or on a motor vehicle of, a public transportation provider, the crime is punishable by a fine not to exceed \$2,000, or by imprisonment in a county jail not to exceed one year, or by both the fine and imprisonment.

This bill would instead provide that the offense would be punishable as a felony.

By increasing the burden on local prosecuting entities, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 241.3 of the Penal Code is amended to read:

241.3. (a) When an assault is committed against any person on the property of, or on a motor vehicle of, a public transportation provider, the offense shall be ~~punished by a fine not to exceed two thousand dollars (\$2,000), or by imprisonment in a county jail not to exceed one year, or by both the fine and imprisonment punishable as a felony.~~

(b) As used in this section, “public transportation provider” means a publicly or privately owned entity that operates, for the transportation of persons for hire, a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, including a vehicle operated on stationary rails or on a track or rail suspended in air, or that operates a schoolbus.

(c) As used in this section, “on the property of” means the entire station where public transportation is available, including the parking lot reserved for the public who utilize the transportation system.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.